

DOCKET NO. 2011-____-C

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EXHIBIT C AS TRADE SECRET

filed as Trade Secret to CTLC's Application for Authority to Provide Resold Intrastate

In support of its Motion, CTLC respectfully submits as follows:

1. The legal name, address, and telephone of the Applicant are:

Communication Telefonicas Latinas Corp
3050 Royal Boulevard South, Suite 115
Alpharetta, Georgia 30022
Telephone: 866-814-9381

2. All correspondence, notices, inquiries, and other communications regarding this

Motion should be addressed to:

John J. Pringle, Jr.
ELLIS, LAWHORNE & SIMS, P.A.
P.O. Box 2285
Columbia SC 29202
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I. Description of Confidential Information

The Application requires Applicant to disclose evidence of its financial ability to provide service by submitting documentation of its financial resources. Pursuant to this requirement, CTLC is submitting copies of its financial statements. These documents contain highly confidential and strictly proprietary information, the public disclosure of which would result in direct, immediate and substantial harm to CTLC's competitive position in South Carolina and in other states where CTLC is currently doing business.

II. Grounds for Claim of Confidentiality

The financial information submitted by CTLC in **Exhibit C** of its Application fits squarely within the definition of a "trade secret" under the South Carolina Trade Secrets Act.¹ As a privately-held company, CTLC's financial qualifications are not readily ascertainable. CTLC currently has no legal obligation to prepare or submit projected financial statements, or to report any financial information to a public entity. Further, the unavailability of this information derives independent economic value for CTLC because the disclosure of such information would

¹ A "trade secret" is defined in S.C. Code § 39-8-20(5)(a) as information that "(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public...and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."

jeopardize CTLC's relationship with its investors and harm CTLC's ability to compete in the provision of advanced telecommunications services in South Carolina. CTLC is not a public corporation and its financial and business information is uniquely sensitive.

CTLC takes considerable efforts to maintain the secrecy of the information contained in its financial statements. Financial information of this type is not publicly disseminated, and CTLC takes reasonable steps to guard this information internally as well. Its disclosure is limited to CTLC's senior officers, CTLC's counsel and employees of the company who are directly involved with CTLC's financial operations. Furthermore, when required to submit financial information to public authorities, all such information is clearly stamped "confidential" and is accompanied by formal requests to maintain the confidentiality of the information and to withhold it from public disclosure.

CTLC clarifies that its request for protection applies only to the financial information contained in **Exhibit C** to the Application. CTLC is not seeking protection of any type by means of this Motion for those reports CTLC will be required to file with the Office of Regulatory Staff ("ORS") should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, or the Universal Service Fund Worksheet.

III. Conclusion

The financial information included in support of CTLC's Application, for which confidential treatment is requested, is both proprietary and competitively sensitive. CTLC would suffer substantial direct harm if such information is made publicly available. The harm that would result from public disclosure of CTLC's financial information is real and not speculative. Moreover, to date, no other jurisdiction has required CTLC to make its financial information publicly available. For the foregoing reasons, the financial information included in **Exhibit C** should be protected from public disclosure by the Commission.

WHEREFORE, CTLC respectfully requests that the information contained in **Exhibit C** of CTLC's Application for a Certificate of Public Convenience and Necessity be ruled exempt from public disclosure and provided confidential treatment in accordance with S.C. Code Ann. § 39-8-10, *et seq.*

Respectfully submitted,

**COMMUNICATION TELEFONICAS
LATINAS CORP**

s/ John J. Pringle, Jr.

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July 25, 2011
Columbia, South Carolina